

EV

UNITED STATES DISTRICT COURT  
for the

OCT 14 2015

Southern District of Texas

David J. Bradley, Clerk of Court

United States of America  
v.  
Hassan Mahmud Reza  
Asmaul Husna Reza  
Taz Mohammad  
Tonya Marie Romero

Case No.

H15-1438M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 13, 2013 in the county of Harris/Brazoria in the  
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. § 841, 846, 813, 802 (32) conspiracy to distribute controlled substances and analogues of controlled substances, possession of controlled substances and analogues of controlled substances with intent to distribute

18 U.S.C 1956(a)(1) money laundering

This criminal complaint is based on these facts:

See attached affidavit

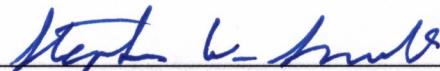
 Continued on the attached sheet.


Complainant's signature

James E. Semrick Jr., DEA Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: October 14, 2015


Judge's signature

City and state: Houston, Texas

Stephen Wm Smith, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, James E. Semrick Jr., being duly sworn, depose and state the following:

I am a Special Agent with the Drug Enforcement Administration (DEA), United States Department of Justice, and as such I am empowered under Title 21, United States Code, Section 878, to enforce Title 21 and other criminal laws of the United States, to make arrests and obtain and execute search, seizure and arrest warrants. I have been employed as a DEA Special Agent for approximately nineteen years, and I was previously employed as a Patrol Agent and Senior Patrol Agent with the United States Border Patrol in San Diego, California for more than eight years. In connection with my official duties, I investigate criminal and civil violations of the Controlled Substances Act. In connection with my duties and responsibilities as a law enforcement officer, I have frequently testified in judicial proceedings for violations of laws concerning controlled substances. I have participated in numerous drug trafficking investigations, including investigations that have resulted in felony arrests for violations of Title 21 of the United States Code. I have been involved in various types of electronic surveillance, in the execution of search and arrest warrants, and in the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the distribution and transportation of controlled substances, and of the laundering and concealing of proceeds from controlled substance trafficking.

I make this affidavit in support of a Criminal Complaint establishing probable cause for the arrests of Hassan REZA, Asmaul REZA, Taz MOHAMMAD, and Tonya ROMERO for conspiracy to distribute controlled substances and analogues of controlled substances, possession of controlled substances and analogues of controlled substances with intent to distribute, in violation of 21 U.S.C. § 841, 846, 813, 802 (32); and money laundering in violation of 18 U.S.C 1956(a)(1). I base the information outlined in this affidavit on personal observations and knowledge, information related to me by other sworn agents and law enforcement officers, and my training and experience in the investigation of narcotics trafficking. The facts set forth in this affidavit are not the only facts known to your affiant, they are only facts set forth by your affiant for the limited purpose of establishing probable cause for arrest.

This investigation has identified Hassan REZA, Asmaul REZA, Taz MOHAMMAD, and Tonya ROMERO as synthetic cannabinoid distributors operating in the Southern District of Texas. During the course of this investigation, Hassan REZA and Asmaul REZA have been observed storing large quantities of synthetic cannabinoids at their residence in Pearland, Texas, and transporting the illegal products to the BILAL HALAL PRODUCE. The REZAs utilize this business to distribute synthetic cannabinoid products with the assistance of Taz MOHAMMAD and Tonya ROMERO.

On October 14, 2013, Houston Police Department (HPD) Officer Michael Baccus, acting in an undercover capacity, entered BILAL HALAL PRODUCE and found a long line of customers at the counter. Hassan REZA and an unknown male were seated in chairs behind the line as if they were conducting security for the counter sales. Officer Baccus watched each person in line purchase small bags of synthetic cannabinoid packages from Asmaul REZA

working at the cash register. Asmaul REZA retrieved the synthetic cannabinoid products from boxes and trash bags behind the counter.

Officer Baccus approached Asmaul REZA at the counter as she asked Officer Baccus what he wanted. Officer Baccus replied, "two packages of red". This indicated that Officer Baccus wanted to purchase two 11 grams packages of Kush Strawberry. Asmaul REZA reached into one of the boxes and handed Officer Baccus two 11 gram packages of Kush Strawberry. Asmaul REZA informed Officer Baccus that the product would cost \$15.00 each, and Officer Baccus gave Asmaul REZA a \$100.00 bill from HPD funds. Asmaul REZA gave Officer Baccus \$70.00 change and she placed the \$100.00 bill in the cash register. I submitted the drug exhibit to the DEA South Central Laboratory for analysis, and the results listed the exhibit contained the compound 1-pentyl-1H-indole-3-carboxylic acid 8-quinoliny1 ester (PB-22), an analog of controlled substance 1-Pentyl-3-(1-naphthoyl)indole (JWH-018).

On October 24, 2013, Officer Baccus conducted surveillance at the REZAs' residence located at 4612 Chaperel Drive in Pearland, Texas. Upon arrival at the REZAs' residence, Officer Baccus noticed the REZAs' vehicles (BMW and Honda mini-van registered to Hassan REZA) parked in the driveway of the residence. At approximately 9:03 a.m., Officer Baccus noticed three individuals exit the residence. Hassan REZA carried a large cardboard box, and he placed the box in the rear cargo area of the Honda van. Officer Baccus observed Taz MOHAMMAD carrying a large plastic trash bag and a white and red shopping bag. Taz MOHAMMAD was observed placing the items in the back of the van as demonstrated in the following photograph:



After loading the van, Hassan REZA sat in the driver's seat and MOHAMMAD sat beside him in the front passenger's seat. The vehicle then departed the residence en route to BILAL HALAL PRODUCE. HPD Officers drove directly to BILAL HALAL PRODUCE and arrived ahead of Hassan REZA's vehicle. Officer Baccus parked his vehicle in front of the business and waited for the van to arrive. Officer Baccus observed Tonya ROMERO standing in the parking lot as other individuals waited in vehicles for the business to open.

At approximately 9:28 a.m., Hassan REZA and MOHAMMAD arrived at BILAL HALAL PRODUCE and parked the van at the end of the building. Officer Baccus exited his vehicle and stood by the front door of the business. ROMERO unlocked the door to the business and told Officer Baccus and others waiting to go inside the business. ROMERO stated: "I don't like carrying this stuff inside with all of you waiting by the door". At that time, Officer Baccus witnessed the arrival of the BMW, which was parked at the REZAs' residence earlier that morning. Asmaul REZA exited the vehicle and walked behind the counter at the business.

ROMERO walked to the Honda van and met with Hassan REZA and MOHAMMAD. ROMERO picked up the cardboard box from the back of the Honda van and carried the box into the business and placed it behind the counter. ROMERO returned to the van and retrieved the trash bag and did the same. Officer Baccus observed MOHAMMAD standing behind the counter separating different flavors of "Kush" and "Green Giant" packages from the box and bag transported from the REZAs' residence. Officer Baccus noted Hassan REZA again standing behind the line of customers as if he was conducting security.

Prior to making a purchase, Officer Baccus watched three customers buy either "Kush" or "Green Giant" labeled products, and the customers also purchased cigars. As Officer Baccus worked to the front of the line, he asked Asmaul REZA for one package of Green Giant and one package of "Red" (Kush Strawberry). Officer Baccus then stated, "Go ahead and give me some of those cigars since everyone else is getting theirs to smoke with". Asmaul REZA asked Officer Baccus which flavor of cigars he wanted and he replied "Grape". Officer Baccus handed Asmaul REZA a \$100 bill of HPD official funds and received \$64.00 change (Kush Strawberry \$15, Green Giant \$20, and \$1 cigars), photographed below:



I submitted the drug exhibits to the DEA South Central Laboratory for analysis. The Kush package was analyzed and found to contain the compound 1-pentyl-1H-indole-3-carboxylic acid 8-quinolinyl ester (PB-22), an analog of controlled substance 1-Pentyl-3-(1-naphthoyl)indole (JWH-018). The Green Giant package was analyzed and found to contain the compound N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide (AB-FUBINACA), at the time not listed as an analog of a controlled substance.

On November 1, 2013, United States Magistrate Judge Frances H. Stacy, Southern District of Texas, issued federal search warrants for the REZAs' residence at 4612 Chaperel

Drive, Pearland, Texas and BILAL HALAL PRODUCE at 3904 South Shaver Street, Houston, Texas.

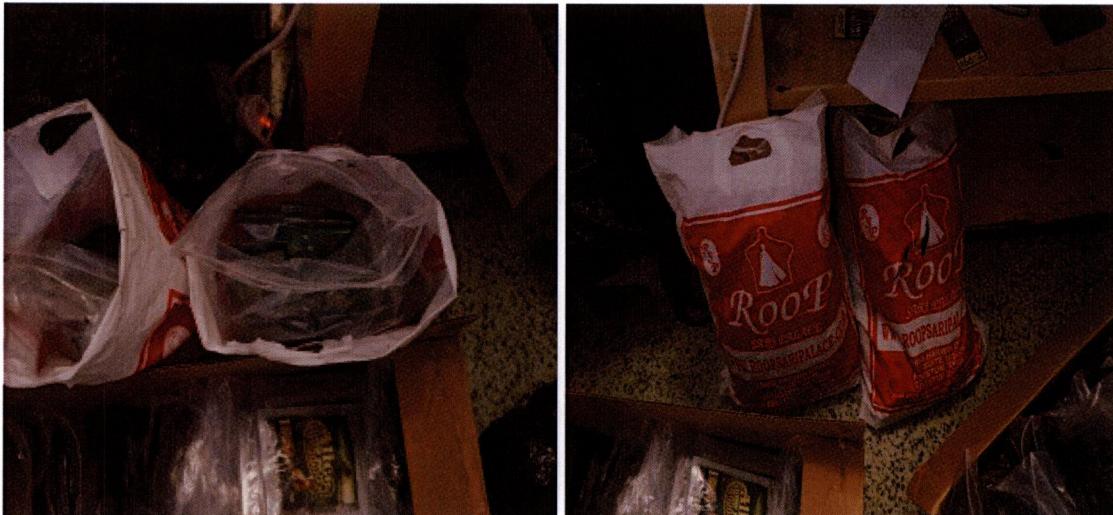
On November 7, 2013 and prior to the execution of search warrants, HPD and Pearland Police Department (PPD) established surveillance at the residence of Hassan and Asmaul REZA located at 4612 Chaperel Drive, Pearland, Texas. Shortly after officers arrived at the location, HPD Officer Patrick McIntyre observed Asmaul REZA exit the residence and enter a grey BMW. Asmaul REZA departed the residence in the BMW and she was accompanied by Taz MOHAMMAD (seated in vehicle prior to officers' arrival at the residence).

At approximately 9:05 a.m., HPD Officer Baccus observed Asmaul REZA and MOHAMMAD arrive at BILAL HALAL PRODUCE and the business door was unlocked. Asmaul REZA and MOHAMMAD were met by Tonya ROMERO, and the subjects unloaded a cardboard box and two white and red shopping bags from the trunk of the BMW. Following the arrival of Asmaul REZA and MOHAMMAD, several customers entered the store as Officers Baccus and Pat Esquibel walked in the business.

At approximately 9:10 a.m., a marked HPD patrol car parked in front of the business prior to officers making entry to BILAL HALAL PRODUCE. Officers Baccus and Esquibel (in plain clothes inside the business) heard Asmaul REZA alert the occupants of the business by saying "Police!" Officers detained five customers who were all in possession of synthetic cannabinoids purchased from the BILAL HALAL PRODUCE business. Officers searched Asmaul REZA's purse and found a Kush package, her cellular telephone, and currency. The purse was located next to the business cash register. Officers detained Taz MOHAMMAD as he stood beside the counter and found a bundle of currency inside his pants pocket. In the short time the business was opened (approximately ten minutes), Officers seized \$836.00 from the sales of synthetic cannabinoids from Asmaul REZA's purse, MOHAMMAD's pocket and currency on the counter (no money in the cash register).

Officers interviewed Tanya ROMERO at the business. ROMERO claimed she was the manager at BILAL HALAL PRODUCE, and she recruited customers to purchase the synthetic cannabinoid products at the business. ROMERO stated BILAL HALAL PRODUCE sold approximately \$20,000 a day in synthetic cannabinoid transactions.

The search of the business resulted in the seizure of numerous synthetic cannabinoid brands including: Kush, Green Giant, Alice in Wonderland, Klimax, Hello Kitty, Mr. High, Godfather, Bizarro, Angry Birds Space, and Scooby Snax. The synthetic cannabinoid products were found on the floor behind the counter at BILAL HALAL PRODUCE, and the packages were contained in a large black plastic garbage bag, brown cardboard boxes, and white and red shopping bags, as depicted below:



At approximately 9:40 a.m. as the search of BILAL HALAL PRODUCE continued, Officer McIntyre observed Hassan REZA exit his residence at 4612 Chaperel Drive, Pearland, Texas. REZA departed the residence in a grey 2011 Honda van, and Pearland PD Officer Donald Patterson stopped the vehicle (9:45 a.m.). Officer Patterson observed a bundle of U.S. currency on the center console of the van, later determined to be \$8,900.00. Officers Patterson and McIntyre escorted Hassan REZA to his residence to execute the search warrant. At approximately 10:03 a.m., Officer McIntyre advised Hassan REZA of his rights before any questioning.

Upon arrival at the residence, officers identified that the REZAs utilized the garage at 4612 Chaperel Drive to store numerous boxes of synthetic cannabinoid products, including the brand names Klimax, Alice in Wonderland, Kush, Godfather, Mr. High, Dead Man Walking, and Bizarro, as depicted below:



A search of the REZAs' master bedroom resulted in the seizure of currency stored in a dresser drawer, and a stack of currency on a second dresser. Hassan and Asmaul REZA claimed the currency totaled approximately \$25,000 to \$27,000. It was later determined to be \$63,934.00.



ATF SA Stephen Bridgmon and I interviewed Hassan REZA in the dining room of his residence. I asked REZA how much money he earned from his legitimate business as compared to the sale of synthetic cannabinoid products. REZA stated prior to selling "Kush", BILAL HALAL PRODUCE only earned \$80,000 last year in sales of normal grocery items. REZA stated when he resorted to selling "Kush", he purchased the product for \$3.25 per bag and sold the same bag for \$20-\$25. REZA stated \$3.25 per bag was consistent for a majority of the synthetic cannabinoid brands that he sold from BILAL HALAL PRODUCE although a brand such as "Master Kush" sold for a lower price. REZA stated he recently started selling "Green Giant" within the last month since his customers stated the product was much stronger than other brands. REZA stated he purchased each "Green Giant" bag for \$3.75 and sold the product for \$20-\$25.

SA Bridgmon and I directed REZA's attention to the large amount of synthetic cannabinoid products stored in his attached garage. REZA stated he purchased the products from an individual known only as "Ali" for \$60,000 and he currently owed an additional \$20,000 to "Ali". REZA continued by stating the synthetic cannabinoid products in his garage should last the business' sales through December 2013. I asked REZA how much profit he would make from his \$80,000 investment, and REZA shrugged his shoulders. SA Bridgmon told REZA that if he made \$16 profit from each package from the garage inventory alone, REZA would make a \$1.3 million profit. REZA agreed and added that he planned to stop selling synthetic cannabinoids when his current inventory sold out.

Upon further questioning, REZA became defensive by stating the sales of synthetic cannabinoids were legal in Houston although he knew the same sales were illegal in Pasadena, Texas. I advised REZA that his business was located on South Shaver Street in Houston, and

Shaver Street is the dividing line between Houston and Pasadena at that location. REZA contended the dividing line indicated to him that the distribution of "Kush" products was legal. When I asked REZA if a uniformed HPD officer walked into his store to purchase "Kush" would he sell the product to the officer, and REZA quickly replied no. I told REZA that he would not sell to the HPD officer because he knew that the product is illegal, and REZA nodded affirmatively. I then asked if REZA sold to underage students at the South Houston High School located a short distance from BILAL HALAL PRODUCE, REZA replied no.

I told REZA that the products he sold from BILAL HALAL PRODUCE were labeled "potpourri" and "incense" and although the packages displayed mock warnings that the products were "Not for Human Consumption", there is no other intended purpose. REZA agreed and stated he knew his customers smoked the product to get a high similar to marijuana. REZA based this knowledge on customers' reviews/complaints about the synthetic cannabinoid brands, and he sold cigars for his customers to smoke the synthetic cannabinoids like marijuana "blunts". To conclude REZA's knowledge of human consumption of synthetic cannabinoids, I asked REZA if he would like a greedy business owner to sell "Kush" to his small children for the sole purpose of making money with no regard for his children's safety. REZA began to cry and promised to stop selling synthetic cannabinoids in the future.

REZA named a subject known only as "Ali" as his source of supply for synthetic cannabinoids. REZA stated all of the synthetic cannabinoids in the rear portion of the garage were purchased from "Ali", and "Ali" delivered the products to BILAL HALAL PRODUCE within the last two weeks. "Ali" did not provide invoices or receipts, and "Ali" only accepted cash. REZA added that he monitored his customers' favorable reviews of products to base his orders with "Ali".

I submitted the drug exhibit containing the synthetic cannabinoid brand "Alice in Wonderland" to the DEA South Central Laboratory analysis. The analysis indicated the synthetic cannabinoid brand "Alice in Wonderland" packages contained 1-(5-Fluoropentyl)-3-(2,2,3,3-tetramethylcyclopropyl)indole (XLR11), a Schedule I Controlled Substance. The overall gross weight for this exhibit was 19.5 kilograms.

Additionally, the DEA South Central Laboratory analyzed the following drug exhibits with the following results: "Klimax" (gross weight 7 kilograms), "Master Kush" (gross weight 39 kilograms), "Scuby Snax" (gross weight 6 kilograms), and "Kush" (gross weight 67 kilograms), were analyzed and found to contain the compound 1-pentyl-1H-indole-3-carboxylic acid 8-quinoliny ester (PB-22), an analog of controlled substance 1-Pentyl-3-(1-naphthoyl)indole (JWH-018).

On April 25, 2014, I received the Mobile Communication Device Processing Report from the DEA Digital Evidence Laboratory related to the examination of an Apple iPhone 4 (cellular telephone number 281-875-5018) seized from Asmaul REZA. Digital Forensic Examiner Lynn Griffin examined the cellular telephone and included a CD for review.

On the same date, I reviewed the photographs saved on Asmaul REZA's cellular telephone and noted a series of photographed bank deposit slips. All of the bank deposits were

under \$10,000 although there were several deposits made on the same date which totaled over \$10,000 on the same date (structured deposits). The following bank deposits were found in the photograph section:

<u>DATE</u>	<u>TIME</u>	<u>AMOUNT</u>	<u>FINANCIAL INSTITUTION</u>
06-12-2013	1:43 p.m.	<b>\$9,500.00</b>	Wells Fargo (account ending 6832)
06-12-2013	2:20 p.m.	<b>\$1,500.00</b>	JP Morgan Chase (account ending 5834)
06-12-2013	2:32 p.m.	<b>\$9,500.00</b>	Wells Fargo (account ending 8760)
06-17-2013	3:06 p.m.	\$9,500.00	Wells Fargo (account ending 8760)
06-18-2013	2:51 p.m.	\$1,000.00	Bank of America (account ending 8607)
06-19-2013	3:16 p.m.	<b>\$9,500.00</b>	CitiBank (account ending 817)
06-19-2013	4:07 p.m.	<b>\$9,500.00</b>	Wells Fargo Bank (account ending 6832)
06-19-2013	4:52 p.m.	<b>\$9,500.00</b>	Wells Fargo Bank (account ending 8760)
06-20-2013	3:03 p.m.	\$6,600.00	CitiBank (account ending 817)
06-21-2013	3:12 p.m.	<b>\$8,500.00</b>	Wells Fargo Bank (account ending 6832)
06-21-2013	3:27 p.m.	<b>\$9,000.00</b>	Wells Fargo Bank (account ending 8760)
06-24-2013	2:17 p.m.	<b>\$9,000.00</b>	Wells Fargo Bank (account ending 8760)
06-24-2013	3:09 p.m.	<b>\$4,000.00</b>	Bank of America (account ending 8038)
06-24-2013	3:35 p.m.	<b>\$5,000.00</b>	Wells Fargo Bank (account ending 1914)
06-24-2013	3:44 p.m.	<b>\$9,000.00</b>	Wells Fargo Bank (account ending 6832)
06-25-2013	2:34 p.m.	\$3,400.00	Bank of America (account ending 3440)
07-02-2013	2:14 p.m.	\$7,000.00	JP Morgan Chase (account ending 8368)
07-03-2013	4:39 p.m.	\$6,000.00	JP Morgan Chase (account ending 8368)
07-05-2013	4:12 p.m.	<b>\$5,500.00</b>	Wells Fargo Bank (account ending 3484)
07-05-2013	4:32 p.m.	<b>\$9,500.00</b>	Wells Fargo Bank (account ending 8760)
07-05-2013	4:56 p.m.	<b>\$9,500.00</b>	Wells Fargo Bank (account ending 6832)
07-09-2013	1:33 p.m.	<b>\$9,500.00</b>	Wells Fargo Bank (account ending 6832)
07-09-2013	1:41 p.m.	<b>\$9,500.00</b>	Wells Fargo Bank (account ending 8760)
07-15-2013	5:59 p.m.	\$5,000.00	Bank of America (account ending 8038)
07-16-2013	3:00 p.m.	<b>\$9,000.00</b>	Wells Fargo Bank (account ending 6832)
07-16-2013	3:25 p.m.	<b>\$9,000.00</b>	Wells Fargo Bank (account ending 8760)
07-17-2013	12:47 p.m.	\$5,000.00	Bank of America (account ending 8038)
07-25-2013	3:45 p.m.	<b>\$4,500.00</b>	Bank of America (account ending 0308)
07-25-2013	3:47 p.m.	<b>\$1,000.00</b>	Bank of America (account ending 8607)

07-25-2013	4:44 p.m.	<b>\$9,000.00</b>	Wells Fargo Bank (account ending 2380)
07-26-2013	5:03 p.m.	\$9,200.00	Wells Fargo Bank (account ending 2380)
07-27-2013	12:37 p.m.	\$9,000.00	Wells Fargo Bank (account ending 5950)
07-29-2013	11:50 a.m.	<b>\$6,000.00</b>	Wells Fargo Bank (account ending 2380)
07-29-2013	11:59 a.m.	<b>\$9,000.00</b>	Wells Fargo Bank (account ending 5950)
07-31-2013	2:08 p.m.	\$2,000.00	Wells Fargo Bank (account ending 2380)
07-31-2013	3:39 p.m.	\$8,000.00	Wells Fargo Bank (account ending 5950)
08-05-2013	5:18 p.m.	<b>\$9,600.00</b>	Wells Fargo Bank (account ending 5950)
08-05-2013	5:43 p.m.	<b>\$4,000.00</b>	Wells Fargo Bank (account ending 2380)

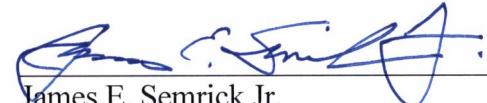
TOTAL DEPOSITS: **\$269,800.00**

A review of Asmaul REZA's text messages displayed ledger type comments sent to her husband's (Hassan REZA's) cellular telephone number (281) 948-1134 (saved in contact as "Hassan Reza"). Some of the text messages appear to be dollar amounts or inventory of synthetic cannabinoid products ("pa"/pineapple; "gr"/grape; "bl"/blueberry, "3g"/3 grams; etc.) as demonstrated below:

<u>DATE</u>	<u>TEXT MESSAGE</u>
06-23-2013:	"4710+ 5265"
07-03-2013	"Pa(y)-5, gr(s)-4, bl(s)2, ap(s)-1, pa(s)-1, bl(o)-2, gr(o)-8, ap(o)-1, st(o)-3, st(s)-2, bl(s)_2, p(s)-2"
07-09-2013:	"CT3g196"
08-17-2013:	"15953"
08-18-2013:	"12784+_31 60 + 350 100"
08-20-2013:	"_80 0 + s30 450 120"
08-22-2013:	"14323 265 230"
09-03-2013:	"8124 b229 s0 + b300 ba100 s100"

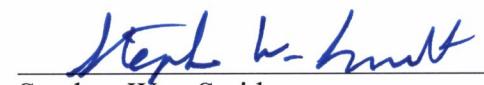
Based on the foregoing, your affiant respectfully submits that probable cause exist to believe that Hassan REZA, Asmaul REZA, Taz MOHAMMAD, and Tonya ROMERO have committed violations of conspiracy to distribute controlled substances and analogues of

controlled substances, possession of controlled substances and analogues of controlled substances with intent to distribute, in violation of 21 U.S.C. § 841, 846, 813, 802 (32); and money laundering in violation of 18 U.S.C 1956(a)(1).



James E. Semrick Jr.  
DEA Special Agent

Sworn to and subscribed before me this 14<sup>th</sup> day of October, 2015.

  
\_\_\_\_\_  
Stephen Wm. Smith  
U.S. Magistrate Judge